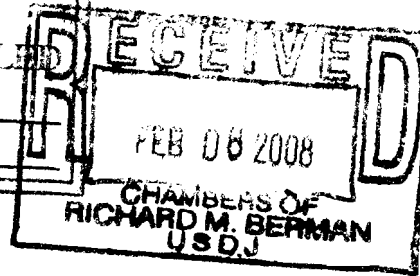
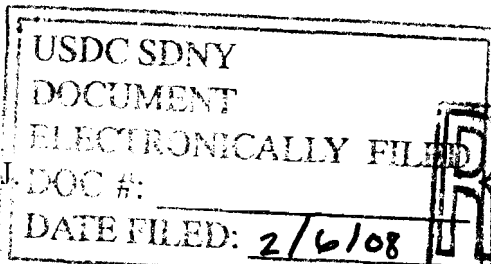


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February 05, 2008

Hon. Richard M. Berman, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
Courtroom 14A  
New York, New York 10007



Re: Gillette, Wendy v. Hilton Hotels Corporation  
Docket No.: 08CV0878 (RMB)  
Our File No.: 105-13049-D-PAF/DMS  
Handling Attorneys: Paul A. Fino, Jr. and Daniel M. Stewart

**MEMO ENDORSE**

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Dear Judge Berman:

Our office represents Hilton Hotels Corporation in the above-captioned lawsuit.

In brief, plaintiff Wendy Gillette claims that she sustained personal injuries while a guest at the Hilton Hotel in Phuket, Thailand, on March 13, 2007.

Pursuant to your Order dated January 31, 2008, enclosed are courtesy copies of our Rule 7.1 Statement, as well as all prior pleadings in the case.

This case is scheduled for an initial conference before Your Honor on February 29, 2008, at 9:00 a.m. By this correspondence, we respectfully request that the conference also be treated as a pre-motion conference. Defendant intends to file for dismissal of the case.

It is defendant's intention to move for dismissal of the case pursuant to FRCP 12(b), because plaintiff does not have personal jurisdiction over the Hilton Hotels Corporation. The Hilton Hotels Corporation does not have the necessary minimum contacts with the State of New York, such that the plaintiff's lawsuit can be maintained here.

Even if plaintiff can establish jurisdiction over the defendant, it is neither owner nor manager of the hotel where plaintiff's alleged accident occurred. Defendant's motion will establish that plaintiff has named the wrong defendant in this lawsuit.

Further, it is defendant's position that this matter should not be litigated in the United States, pursuant to the doctrine of *forum non conveniens*. Plaintiff's alleged injuries occurred in Thailand, and Thailand can provide a viable forum for plaintiff's claims.

A NEW YORK LIMITED LIABILITY PARTNERSHIP

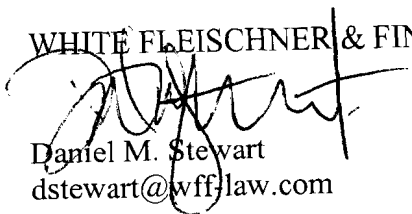
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Hon. Richard M. Berman, U.S.D.J.  
February 5, 2008  
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Thank you for your kind consideration.

Very truly yours,


WHITE FLEISCHNER & FINO, LLP

  
Daniel M. Stewart  
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DMS/wj  
Enclosures

cc:

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Great Neck, New York 11021

PL to respond w. the 2-3 pp	
letter by 2/13/08 (NOON).	
SO ORDERED:	
Date: 2/6/08	Richard M. Berman, U.S.D.J.